

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

LORI ANN MORRIS

Plaintiff,

V.

**EDWARD NEAL THOMPSON and
FLORIDA TRANSFORMER,**

Defendants.

Civil Action No. 3:05-CV-962-T

REPORT OF PARTIES DISCOVERY PLANNING MEETING

1. Pursuant to Fed. R. Civ. P., 26(f), the parties conducted a discovery planning meeting and the following discovery plan is hereby submitted:

2. Pre-Discovery Disclosures. The parties will exchange by December 14, 2005, the information required by Fed. R. Civ. P. 26(a)(1).

3. Discovery Plan. The parties propose to the Court the following discovery plan.

A. Discovery will be needed on the events surrounding the automobile accident that occurred on or about September 2, 2004. Specifically, discovery will be needed as to any alleged acts or omissions of Defendants Florida Transformer and Edward Neal Thompson concerning Thompson's operation of the vehicle he was driving on the day in question. In addition, discovery will be needed as to any acts or omissions of Bryan Vernell Morris concerning this operation of the motor vehicle he was driving on the date in question.

B. All discovery shall be commenced in time to be completed by September 30, 2006;

C. A maximum of 25 interrogatories by each party to the other party;

D. A maximum of 25 requests for admissions by each party to the other party;

E. A maximum of 15 requests for production by each party to any other party;

F. A maximum of 10 depositions by Plaintiff and 10 depositions by Defendant;

G. Reports from retained experts under Rule 26(a)(2) shall be due:

From Plaintiff by June 1, 2006;

From Defendant by July 1, 2006;

H. Supplementations under Rule 26(e) due 30 days after receipt of information.

4. Other items:

A. The parties do not request a telephone conference with the Court before entry of the scheduling order.

B. The parties request a pretrial conference in October of 2006.

C. Plaintiff should be allowed until March 1, 2006, to join additional parties and until March 1, 2006, to amend the pleadings.

D. Defendant should be allowed until April 1, 2006, to join additional parties and until April 1, 2006, to amend the pleadings.

E. All potentially dispositive motions should be filed by July 31, 2006, Settlement cannot be evaluated prior to September of 2006, but may be enhanced by the use of mediation.

F. Final lists of witnesses and exhibits under Rule 26(a) should be due:

From Plaintiff by November 15, 2006.

From Defendants by November 15, 2006.

G. Parties shall have 7 days after service of final lists of witnesses and exhibits to list objections.

H. The case should be ready for trial by December 4, 2006, and at this time is expected to take approximately 3 days.

DATE: November 4, 2005

/s/ Henry Lee Penick
Attorney for Plaintiff

/s/ W. Evans Brittain
W. Evans Brittain

/s/ Richard E. Broughton
Richard E. Broughton

Attorneys for Florida Transformer, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this November 4, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Henry Lee Penick hlp@bham.rr.com hlp@penickandassoc.com

Manual Notice List

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/s/ W. Evans Brittain
OF COUNSEL